

REMARKS

This amendment responds to the office action mailed September 22, 2004, in which the Examiner rejected claims 12-16 under the judicially created doctrine of obviousness-type double patenting.

After entry of this amendment, claims 12-43 are pending.

Overview of Changes to Claims

Claims 12-16 have been amended to further clarify the claims. Support for the amendments is found in the previously filed claims 12-16 as well as in the specification of the present application. As such, these amended claims do not constitute new matter.

New claims 17-43 have been added. Support for these new claims is found in the specification of the present application. As such, the new claims do not constitute new matter.

Double Patenting

A terminal disclaimer in compliance with 37 CFR 1.321(c) with respect to the commonly owned patent US 5,794,214 is enclosed. Removal of this ground for rejection is requested.

Prior Art Made of Record

The Examiner cites several references considered pertinent to the present application. Specifically, Brown (U.S. 6,023,686) and Brown (U.S. 6,167,386). Under 37 CFR 1.111(b), “(t)he reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references” (emphasis added). It is respectfully noted that the office action did not apply any of these listed references to any of the pending claims. Nevertheless, the applicant observes that none of these cited references teaches alone or in combination all the limitations of the pending claims.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance of all the claims. The Examiner is invited to call the undersigned attorney at 650-843-4000, if a telephone call could help resolve any remaining items.

Date: December 13, 2004

Respectfully submitted,

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